



Comments Submitted But Not Directly Related to the Proposal To Delay
The Effective Date of 2.81.11 NMAC Sections 6-10

I received your note that was sent to the HR departments across the state regarding the change in retirement health care. Do you realize what you have done?

What you have done is taken an understanding of the teachers of significant years, and changed the game. The state grandfathered those teachers that, in trust, came in under one rule, one goal line to shoot for after a long proud career and made sure no teacher trusts the system again.

I started 29 years ago, in this game. I have worked hard, made many significant differences in the students of Alamogordo. I planned on going another 5 or 6 years, AS LONG AS THINGS WERE GOOD. I have a great principal and assistant principal right now and would love to work for them those continuing years. But, I also know that administration is at the will of the district and those personnel can change at district discretion. The knowledge that I could leave if I needed to, if things were not as good as they are now is the most comforting feeling imaginable. With this arbitrary and capricious decision, the NMRHCA has placed me and hundreds of other teachers in a very precarious position.

Why would the state put itself into the position of losing even more teachers than they normally would? Teachers are not coming to New Mexico and this is not going to be the golden egg that lures them here. Did you consider the possibility that teachers would wait until November and retire? Can New Mexico afford to lose its tenured teachers, that would still proudly teach, if the rule started July 2021?

Do you realize that NM teachers are proud? Do you realize that NM teachers trust? Do you realize that NM teachers do not deserve to be disrespected this way. We work hard and we take great pride in what we do and how long we have done it. I would love to stay another 5 or 6 years, as do many of the older teachers I know. Please don't put your experienced teachers in the situation of having to decide:

1. Do we stay in and work the years we need to get to the new goalline of NMRHCA and hope situations stay good and don't turn sour?

OR

2. Do we get out, keep our health care, don't look back at the situation/gap/hole that we have left by leaving because teachers are NOT waiting in line to teach in NM?

Some food for thought. I believe this is a horrible mistake and NM will not be the better for it. I am just one of the boots on the ground, one of thousands in the trenches, and have been for a long time. I actually DO know of what I speak.

Dale Lindley
Alamogordo
4/21/20

I am writing as the spouse of a New Mexico state Employee who will be eligible for retirement in September of 2021. As I read the Notice of Proposed Rule making Amendment and Public Rule Hearing that deems to amend the current date of January 1, 2020 to July 31, 2021 to coincide with the school year.

My question to you is why not extend the date out to January 1, 2022 as the initial date was January 1, 2021, by giving the extra 6 months you will allow many who are eligible to retire the chance to pay for their health insurance at a reasonable rate. As it stands now those who are under 55 before this date will have to pay an amount that is just not right and makes it hard for them to retire as they are paying almost 3 times what they pay now. Some state employees I have spoken to are now waiting til they turn 55 to retire. Why should they have to wait til they turn 55 all because the board feels the need to impose this rule change.

I understand the situation that the fund is in and I also understand how some at the PERA in my opinion are overpaid for the work that they do. I was an state employee for over 25 years and retired in 2018 as I saw what was becoming of state government and the fund. I still do not believe it is fair that those employees who put in their 25 years but because they are under the age of 55 must get penalized and have to pay such high premiums.

I spoke at one of the meetings and mentioned how over the years administrations had cut back on hiring thus the fund was made unstable as less state employees were paying into the fund. The sad part is that the state passes a budget for positions, but in some cases they do not fill those positions in order for it to seem that they are saving the state money by not hiring for these positions.

I saw first hand how I needed to hire essential personnel for key jobs, but was told I couldn't all in the name of saving money but in fact it cost more when I had to outsource the job to a private company as that was deemed OK by the administration.

It's OK to spend more for a job by outsourcing it than to have it done In House by a vested State Employee. I just don't get where the state saves money and thus those vested state employees with 25 years but under the age of 55 get screwed by the rule change.

Mr. Archuleta I know you get a lot of e mails from a lot of frustrated employees and retirees who feel that the system is not working for them. I am grateful for my State Retirement as I earned it, and I feel that those employees who have also earned their retirement are entitled to the benefits that all retirees get without penalizing them because of their age and not falling within the dates set for retirement.

I hope you all consider extending the date to January 1, 2022, as this will be a huge help for a lot of state employees who will be eligible for retirement and can retire and pay a fair amount for their insurance and not have to worry that they have to pay 3 times the amount that someone who was eligible to retire before this deadline, thus taking what little retirement money they get in order to sustain insurance which they need.

Ronald S. Trujillo
4/21/20

I have reviewed the proposed rulemaking amendments, and my concern as a State of NM Employee is the amendment to Rule 2.81.11.8.

I am age 75, and currently I have 22.9 years of service credit. As I understand it, and which I counted on, is that according to Section 8, at 20 years of credited service the percentage subsidy to my monthly retirement would be 100%, meaning I could retire anytime after 20 years and still receive the 100%. As I understand the proposed amendment to this section, if approved, I would now have to wait until I have 25 years of credited service to receive 100%. I believe this is totally unfair for all state employees who relied on the current 20 year rule at 100%. To now change, what we relied on, to 25 years/100% would amount to an unconstitutional "ex post facto" amendment, not to mention a breach of contract. I believe that all state employees with 20 years of service and more, who relied on the 20year/@ 100%. should be grandfathered in at the mentioned years/100% we relied on.

Richard Crollett
4/21/20

I would like to submit comments on the proposed Rule Change to 2.8 NMAC concerning the subsidy for retiree health. I am a 25+ year state employee who has contributed to the health plan for all of my years of service. I will be 50 years old when I am eligible to retire in September of 2021. We were informed by RHCA two years ago that they were proposing a rule change to increase the age to be eligible for retiree health care to 55. I as a dedicated state employee was insulted and upset that 9/10th into the game, you are being allowed to change the rules and cut me completely out of access. I should at the least be allowed a percentage of health care for those 5 years until I am eligible under your totally arbitrary rule. I have asked if I could stop paying into RHCA since I will not benefit from the fund for at least 5 years into my retirement and was told no, I was required to continue contributing regardless of how it will affect me.

I understand the need to make the fund sustainable but I would also like to be able to afford to retire after completing my years of required service. I am requesting that you consider doing one of two things: moving your new arbitrary date to January 1, 2022, so it allows for state employees to change their health plan at the beginning of a health plan year. This date would also be in accordance with your original change date to January 1, 2021.

The other item I wish you to consider is that for the employees that have not reached age 55, you tier the level of coverage so we are allowed to receive some subsidized RHCA healthcare. This would make it a little more equitable for those employees who have contributed for all their years of service but do not meet your arbitrary age requirement. It is a total injustice for employees to be unable to retire because the RHCA is completely cutting them out of health care they have paid into for their entire career.

In closing, I ask that you sincerely consider those of us that have dutifully committed to the plan and make these changes.

Amber Espinosa-Trujillo
5/8/20

I am writing to you from my personal email to submit my public comment on the proposed amendment to 2.8.11.NMAC Sections 6-10.

I am briefly relieved that the proposed effective date for the age requirement is 6 months later than the previously enacted date of 12/31/2020. However, I feel that this is only a temporary band-aid meant to alleviate NMHCA's unforeseen obligations during an economic downturn amidst a global pandemic.

I myself have served the State of New Mexico for 27 years plus and would consider to stay the 30 years per the incentive created by the NMPERA in order to receive a 90% of income pension. However, NMHCA is preverbally forcing myself and hundreds of other state employees to decide between staying longer or leaving sooner in order to retain health care subsidies due to the implemented age restrictions. I am shocked that the NMPERA hasn't fought the NMHCA on this enactment that goes directly against what I believe they were trying to do (gain solvency) by initiating the incentive for longer service with the new 30 year/90% tier.

I feel it is punitive of the NMHCA to have enacted a minimum age requirement on top of years of service in order to continue the employer benefits for health care through subsidies especially for someone who started working for the State of NM effectively right out of high school. I myself worked full-time, attended school full-time and juggled a family all at the same-time. I earned several Associates, completed my Bachelors and went on to earn my MBA. I earned less than my fellow graduates working in private industry, some of those private industry workers eventually came to work with State Government later in life. They are "young" in their careers but are now old enough in age that this enactment will not effect them when they reach the required years of service. I could have retired at 25 years of service but chose to stay because I felt I still had a valuable career and room for advancement within State Government. I am 47 years of age and now I feel that I am being forced into retirement in order to maintain health benefits for myself and my dependent children - one which is in college and the other who is special needs and in high school.

I am enrolled in the Federal Department of Education's Public Service Student Loan Forgiveness Program which requires 10 years of payments while in public service in order to qualify for debt forgiveness. In obtaining my MBA I have accrued \$140K in student loans including interest. I have made 3 years of payments after obtaining my MBA, meaning I have 7 years of payments left. Those remaining years of payments must be made while working in public service. So, although I have more than 10 years of public service I was not making payments during those years (the loans were not made nor available for repayment during those prior years of service.) Now, if I am forced to retire, I find that I am left to pursue employment in either the Federal Govt, Non-profits, public schools etc. that do not pay into the NMPERA so as to not jeopardize that pension.

Amidst COVID-19 the search for employment has come to a standstill. The State of NM Govt' itself has enacted a hiring freeze, other public sector jobs have been discontinued and I fear that it won't be long before Federal Govt follows suit with hiring freezes and furloughs. I cannot afford to abandon my Student Loan Forgiveness Program!

I know that once I leave employment with State Government employment per the NMPERA rules I must accept whatever new employer's health plan that is offered. So, I ask: Why does it matter to the NMHCA what age a retiree is as long as they have the required years of service? To assist employees like me I also ask: Would the NMHCA please consider putting in another level of qualification - for either 26 years 8 months or 30 years of service and NO AGE LIMIT? That way the NMHCA is not punishing those of us who have literally worked more than half our lives dedicating service to the State of New Mexico. Thank you.

Most sincerely,
Theresa "Terry" Root

5/12/20

I am an employee at New Mexico Highlands University. I plan on retiring August 1, 2021, with my full 25 years of service with ERB. I will be 53 years old.

The subsidy change will affect me, even changing it to July, 31, 2021 – I will miss the July 31, deadline by one day.

Please take into consideration moving date to December 31, 2021 or August 31, 2021.

I can't retire June 30, 2021 because my retirement check will be impacted I get a penalty if I don't stay 25 years.

Would there be a possibility of getting grandfathered in, what options can you offer me. This does cause a hardship on me to pay \$600 plus on insurance versus \$200 plus.

It would be great when making these decisions to grandfather the people in and make the change for the new people coming in.

Please let me know your thoughts.

I really appreciate your consideration.

Respectfully,

Ivy Romero
5/20/20
